

shall unlawfully obtain, gain access to, or use such records, shall, upon conviction in the district court of the United States having jurisdiction thereof, be punished by imprisonment for not more than five years, or a fine of not more than \$10,000, or by both such fine and imprisonment, or if subject to military or naval law, may be tried by court martial, and, on conviction, shall suffer such punishment as the court martial may direct.

(Mar. 31, 1947, ch. 26, § 7, 61 Stat. 32.)

#### REESTABLISHMENT OF OFFICE

For termination and reestablishment dates, see note set out preceding section 321 of this Appendix.

### § 328. Suspension of conflicting laws

Except as provided in this Act [sections 321 to 329 of this Appendix], all laws and parts of laws in conflict with the provisions of this Act [said sections] are suspended to the extent of such conflict for the period in which this Act [said sections] shall be in force.

(Mar. 31, 1947, ch. 26, § 8, 61 Stat. 33.)

#### REESTABLISHMENT OF OFFICE

For termination and reestablishment dates, see note set out preceding section 321 of this Appendix.

### § 329. Effective date

Except as otherwise provided by the terms of this Act [sections 321 to 329 of this Appendix], the provisions hereof shall take effect at 12 o'clock post meridian, March 31, 1947.

(Mar. 31, 1947, ch. 26, § 9, 61 Stat. 33.)

### § 330. Destruction of records; use of appropriations; procedures; transfers to other agencies

Appropriations for the Selective Service System may on and after August 28, 1958, be used for the destruction of records accumulated under the Selective Training and Service Act of 1940, as amended [sections 301 to 318 of this Appendix], by the Director of Selective Service after compliance with the procedures for the destruction of records prescribed pursuant to the Records Disposal Act of 1943, as amended (44 U.S.C. 366–380): *Provided*, That no records may be transferred to any other agency without the approval of the Director of Selective Service.

(Pub. L. 85–844, title I, Aug. 28, 1958, 72 Stat. 1073.)

#### REFERENCES IN TEXT

The Records Disposal Act of 1943, as amended (44 U.S.C. 366–380), is act July 7, 1943, ch. 192, 57 Stat. 380, which enacted sections 366 to 380 of former Title 44, Public Printing and Documents. Sections 366 to 376, and 378 to 380 of former Title 44 were repealed by Pub. L. 90–620, § 3, Oct. 22, 1968, 82 Stat. 1306, and reenacted as sections 3301 to 3303 and 3304 to 3314, respectively, of Title 44, Public Printing and Documents. Sections 3304 to 3307 of Title 44 were repealed by Pub. L. 91–287, § 2(c), June 23, 1970, 84 Stat. 321. Section 377 of former Title 44 was also repealed by Pub. L. 90–620, § 3, Oct. 22, 1968, 82 Stat. 1306.

#### CODIFICATION

Section was enacted as part of Pub. L. 85–844, known as the Independent Offices Appropriation Act, 1959, and

not as part of act Mar. 31, 1947, ch. 26, 61 Stat. 31, which comprises sections 321 to 329 of this Appendix.

#### PRIOR PROVISIONS

Similar provisions were contained in the following prior appropriation acts:

Pub. L. 85–69, title I, June 29, 1957, 71 Stat. 235.

June 27, 1956, ch. 452, title I, 70 Stat. 348.

June 30, 1955, ch. 244, title I, 69 Stat. 209.

June 24, 1954, ch. 359, title I, 68 Stat. 287.

July 27, 1953, ch. 241, title I, 67 Stat. 189.

July 5, 1952, ch. 578, title I, 66 Stat. 406.

### SERVICE EXTENSION ACT OF 1941

ACT AUG. 18, 1941, CH. 362, 55 STAT. 626–628

### §§ 351 to 357. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section 351, act Aug. 18, 1941, ch. 362, § 1, 55 Stat. 626, related to the declaration of national peril for purposes of extending service under section 303(b) of this Appendix.

Section 352, act Aug. 18, 1941, ch. 362, § 2, 55 Stat. 626, authorized an eighteen-month extension of periods of service for persons inducted under the Selective Training and Service Act of 1940, sections 301 to 318 of this Appendix.

Section 353, act Aug. 18, 1941, ch. 362, § 3, 55 Stat. 626, extended time for application for National Service Life Insurance.

Section 354, act Aug. 18, 1941, ch. 362, § 4, 55 Stat. 627, related to release from service in hardship cases.

Section 355, act Aug. 18, 1941, ch. 362, amended section 303(c) of this Appendix.

Section 356, act Aug. 18, 1941, ch. 362, § 6, 55 Stat. 627, authorized President to order Regular Army retired personnel to active duty. See section 471 of this Appendix.

Section 357, acts Aug. 18, 1941, ch. 362, § 7, 55 Stat. 627; Dec. 8, 1944, ch. 548, § 3, 58 Stat. 799; Aug. 9, 1946, ch. 936, 60 Stat. 971, related to reemployment rights. See section 459 of this Appendix.

### § 358. Repealed. June 16, 1942, ch. 413, § 19, 56 Stat. 369, eff. June 1, 1942

Section, act Aug. 18, 1941, ch. 362, § 8, 55 Stat. 627, related to additional compensation for active service in excess of twelve months.

#### ADDITIONAL REPEAL

Section was also repealed by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

### §§ 359 to 362. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section 359, acts Aug. 18, 1941, ch. 362, § 9, 55 Stat. 628; Aug. 7, 1946, ch. 770, § 1(58), 60 Stat. 871, suspended limitations on number of inductees.

Section 360, act Aug. 18, 1941, ch. 362, § 10, 55 Stat. 628, related to enlistments in Army without regard to component. See section 3252 of Title 10, Armed Forces.

Section 361, act Aug. 18, 1941, ch. 362, § 11, 55 Stat. 628, amended section 401 of this Appendix.

Section 362, act Aug. 18, 1941, ch. 362, § 12, 55 Stat. 628, gave short title of act.

### ARMY RESERVE AND RETIRED PERSONNEL SERVICE LAW OF 1940

ACT AUG. 27, 1940, CH. 689, 54 STAT. 858

### §§ 401 to 405. Omitted

#### CODIFICATION

Section 401, acts Aug. 27, 1940, ch. 689, § 1, 54 Stat. 858; Aug. 18, 1941, ch. 362, § 11, 55 Stat. 628, authorized for the

period ending the later of June 30, 1942, or 6 months after the termination of the authority under section 352 of this Appendix the President to order reserve and retired personnel to active service. See section 471 of this Appendix.

Section 402, act Aug. 27, 1940, ch. 689, § 2, 54 Stat. 859, related to laws and regulations governing personnel called to active service.

Section 403, acts Aug. 27, 1940, ch. 689, § 3, 54 Stat. 859; Sept. 16, 1940, ch. 720, § 8(d), (f), 54 Stat. 891; July 28, 1942, ch. 529, § 1, 56 Stat. 723; Dec. 8, 1944, ch. 548, § 2, 58 Stat. 799, related to service and health certificates and reemployment rights. See section 459 of this Appendix.

Section 404, act Aug. 27, 1940, ch. 689, § 4, 54 Stat. 860, made applicable the Soldiers' and Sailors' Civil Relief Act and section 101 et seq. of this Appendix. See section 501 et seq. of this Appendix.

Section 405, act Aug. 27, 1940, ch. 689, § 5, 54 Stat. 860, suspended all laws in conflict with sections 401 to 405 of this Appendix.

#### PAY OF PERSONS INDUCTED IN ERRONEOUS RANK OR GRADE

Act Feb. 6, 1942, ch. 42, 56 Stat. 50, related to pay of persons inducted in erroneous rank or grade under sections 401 to 405 of this Appendix.

### MILITARY SELECTIVE SERVICE ACT

ACT JUNE 24, 1948, CH. 625, 62 STAT. 604

Sec.	
451.	Short title; Congressional declaration of policy.
452.	Repealed.
453.	Registration.
454.	Persons liable for training and service.
454a to 454d.	Omitted.
454e.	Volunteer service of physicians and dentists; minimum period.
455.	Manner of selection of men for training and service; quotas.
456.	Deferments and exemptions from training and service.
457.	Repealed.
458.	Bounties for induction; substitutes; purchase of release.
459.	Separation from service.
460.	Selective Service System.
461.	Emergency medical care.
462.	Offenses and penalties.
463.	Nonapplicability of certain laws.
464.	Repealed.
465.	Notice of requirements of Act; voluntary enlistments unaffected.
466.	Definitions.
467.	Repeals; appropriations; termination date.
468.	Utilization of industry.
469.	Savings provisions.
470.	Effective date.
471.	Authority of President to order Reserve components to active service; release from active duty; retention of unit organizations and equipment.
471a.	Procedural rights.
472.	Period of increased service applicable to all personnel.
473.	Regulations governing liquor sales; penalties.

#### § 451. Short title; Congressional declaration of policy

(a) This Act may be cited as the "Military Selective Service Act".

(b) The Congress declares that an adequate armed strength must be achieved and maintained to insure the security of this Nation.

(c) The Congress further declares that in a free society the obligations and privileges of serving

in the armed forces and the reserve components thereof should be shared generally, in accordance with a system of selection which is fair and just, and which is consistent with the maintenance of an effective national economy.

(d) The Congress further declares, in accordance with our traditional military policy as expressed in the National Defense Act of 1916, as amended, that it is essential that the strength and organization of the National Guard, both Ground and Air, as an integral part of the first line defenses of this Nation, be at all times maintained and assured.

To this end, it is the intent of the Congress that whenever Congress shall determine that units and organizations are needed for the national security in excess of those of the Regular components of the Ground Forces and the Air Forces, and those in active service under this title [sections 451 to 471a of this Appendix], the National Guard of the United States, both Ground and Air, or such part thereof as may be necessary, together with such units of the Reserve components as are necessary for a balanced force, shall be ordered to active Federal service and continued therein so long as such necessity exists.

(e) The Congress further declares that adequate provision for national security requires maximum effort in the fields of scientific research and development, and the fullest possible utilization of the Nation's technological, scientific, and other critical manpower resources.

(f) The Congress further declares that the Selective Service System should remain administratively independent of any other agency, including the Department of Defense.

(June 24, 1948, ch. 625, title I, § 1, 62 Stat. 604; June 19, 1951, ch. 144, title I, § 1(a), 65 Stat. 75; Pub. L. 90-40, § 1(1), June 30, 1967, 81 Stat. 100; Pub. L. 92-129, title I, § 101(a)(1), Sept. 28, 1971, 85 Stat. 348; Pub. L. 96-107, title VIII, § 812, Nov. 9, 1979, 93 Stat. 816.)

#### REFERENCES IN TEXT

The Military Selective Service Act, referred to in subsec. (a), is act June 24, 1948, ch. 625, 62 Stat. 604, as amended, originally called the "Selective Service Act of 1948", renamed the "Universal Military Training and Service Act" by act June 19, 1951, ch. 144, title I, § 1(a), 65 Stat. 75, then renamed the "Military Selective Service Act of 1967" by Pub. L. 90-40, § 1(1), June 30, 1967, 81 Stat. 100, and now designated the Military Selective Service Act by Pub. L. 92-129, title I, § 101(a)(1), Sept. 28, 1971, 85 Stat. 348. Act June 24, 1948 consisted of titles I and II. Title I of such act enacted sections 451 to 454 and 455 to 471a of this Appendix. Title II of such act was classified to the Articles of War set out in former Title 10, Army and Air Force, to sections 61, 61a, 62a, 65, and 652a of former Title 10, and to section 180 of former Title 14, Coast Guard. Title II of act June 24, 1948 was repealed by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641.

The National Defense Act of 1916, as amended, referred to in subsec. (d), is act June 3, 1916, ch. 134, 39 Stat. 166, as amended, which was classified generally throughout former Title 10, Army and Air Force. The Act was repealed by act Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641, and the provisions thereof were reenacted as parts of Title 10, Armed Forces, and Title 32, National Guard.

#### AMENDMENTS

1979—Subsec. (f). Pub. L. 96-107 added subsec. (f).